

3739 #5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue patent application of:

LIN

Serial No. 09/084,441

Filed: May 27, 1998

Title: OPTHALMIC SURGERY METHOD USING
NON-CONTACT SCANNING LASER



Group Art Unit: 3739

Examiner: Peffley

Client Reference: LIN

Attorney Docket: 62-575

March 15, 2000

APPLICANT'S RESPONSE TO PUBLIC PROTEST

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Counsel for the Applicant in the above-referenced case has just received a served copy of a PUBLIC PROTEST, apparently redacted of erroneous and improper subject matter and multiple improper subsequent filings, and resubmitted to the Patent Office just yesterday, March 14, 2000 ("the Public Protest").

The Examiner is invited to confirm that the Public Protest contains **ABSOLUTELY NO NEW ART**. ALL references relied upon by the protestor have already been considered by the Examiner in this case before issuing the last Office Action on October 8, 1999. For the Examiner's convenience, a copy of returned Forms PTO-1449 in this Reissue case are attached in Exhibit A.

The Examiner's own initials in the left column of each Form PTO-1449 indicates that he has already considered each of the references relied upon by the Public Protest. It is respectfully submitted that the Applicant has overcome any/all issues relating to these references.

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The Applicant has now waited patiently for nearly two (2) years in this case, despite the delays imposed by repeated improper and baseless filings by the protestor in this case. It is respectfully requested that any remaining issues be resolved quickly (by telephone call to the undersigned if at all possible), and moved on to allowance.

Respectfully submitted,



William H. Bollman
Reg. No.: 36,457

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CERTIFICATE OF SERVICE

The signature hereinbelow signifies that a copy of this paper entitled "APPLICANT'S RESPONSE TO PUBLIC PROTEST" was served upon the attorney for the anonymous third party via next day delivery courier mailed on March 15, 2000 to:

Benoit Castel
Young & Thompson
745 South 23rd Street
Arlington, VA 22202

A handwritten signature in black ink, appearing to read "Will H. Bollman", written over a horizontal line.

William H. Bollman
Reg. No.: 36,457